

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

DAVID W. SVETE,

:

Plaintiff,

:

Case No. 3:07cv00197

vs.

:

CHERNESKEY HEYMAN &  
KRESS, *et al.*,

:

District Judge Walter Herbert Rice  
Magistrate Judge Sharon L. Ovington

:

Defendants.

:

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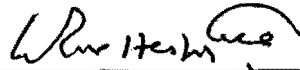
**DECISION AND ENTRY**

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The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #69), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** in full said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on November 24, 2009 (Doc. #69) is **ADOPTED** in full;
2. Defendants' Motion For Summary Judgment (Doc. #54) is **GRANTED**;
3. Plaintiff's Motion to Compel (Doc. #62) and Plaintiff's Pro Se Motion For Continuance Pursuant To Rule 56(f) (Doc. #65) are **DENIED**;
4. Plaintiff's Motion For Ruling On Two Motions Pending Before The Court (Doc. #60) is **DENIED** as moot;

5. Plaintiff's Motion For The Court To Direct United States Marshals To Serve Remaining Unserved Defendants (Doc. #61) is DENIED as moot; and
6. The case is terminated on the docket of this Court.



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Walter Herbert Rice  
United States District Judge